

DEPARTMENT OF ALCOHOL AND DRUG PROGRAMS

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DATE: September 18, 2007 ACLA Letter No. 07-10

TO: All County Lead Agencies

SUBJECT: OFFENDER TREATMENT PROGRAM

REFERENCE: Senate Bill (SB) 84 – Health and Safety Code Section 11999.30

The purpose of this letter is to advise All County Lead Agencies regarding state Fiscal Year (FY) 2007-08 budget trailer bill language and the enactment of changes to the Health and Safety Code.

OFFENDER TREATMENT PROGRAM (OTP) ALLOCATIONS

Under FY 2006-07 OTP the maximum amount that a county may receive shall not exceed an amount equal to 30 percent of the county's allocation for that FY from the trust fund. This bill removed the 30 percent cap for FY 2007-08.

ALLOWABLE COUNTY EXPENDITURES

This bill removed the restriction on administrative costs, but provides the Department of Alcohol and Drug Programs (ADP) with the authority to limit administrative costs. ADP will allow counties to use their FY 2007-08 OTP funds for reasonable administrative and drug education costs.

COUNTY ELIGIBILITY FOR FUNDS

County eligibility for OTP funds for FY 2006-07 was determined by ADP using the following criteria:

- a. Use of dedicated court calendars.
- b. Existence or establishment of a drug court.
- c. Existence or establishment of protocols for drug testing.
- d. Existence or establishment of protocols for assessment.

For FY 2007-08, the county eligibility shall be determined by ADP according to specified criteria including:

- a. Use of dedicated court calendars.
- b. Existence or establishment of a drug court ***or similar model.***
- c. Existence or establishment of protocols for drug testing.
- d. Existence or establishment of protocols for assessment.
- e. ***Existence or establishment of protocols for supervision of offenders on probation.***
- f. ***Existence or establishment of protocols for services to eligible parolees.***



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IMPLEMENTATION AND REPORTING

This bill extends ADP's authority to implement the program by all-county lead agency letters through the FY 2007-08 and to implement these provisions by emergency regulations commencing with the FY 2008-09.

EFFECTIVE DATE AND REPEAL

Trailer bill language for the FY 2007-08 budget removed the July 2009 repeal date.

Enclosed you will find a comparison chart of the Substance Abuse and Crime Prevention Act (SACPA), and OTP for the FY 2006-07 and FY 2007-08.

If you have questions, please contact your SACPA county analyst or the Office of Criminal Justice Collaboration at (916) 445-7456 or SACPA@adp.ca.gov.

Sincerely,



MILLICENT GOMES
Deputy Director
Office of Criminal Justice Collaboration

[Attachment A](#)